

FILED
08/11/2020

JULIA C. DUDLEY, CLERK
BY: /s/ J. JONES
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division

ELIZABETH SINES et al.,) Civil Action No. 3:17-cv-00072

Plaintiffs,)

)

v.) ORDER

)

JASON KESSLER et al.,)

Defendants.)

)

By: Joel C. Hoppe

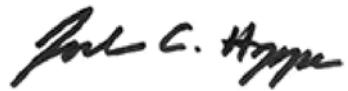
United States Magistrate Judge

Before the Court is Defendants Jason Kessler, Nathan Damigo, Matthew Parrott, Identity Evropa, and Traditionalist Workers Party's ("Defendants") Motion to Seal Exhibits. ECF No. 827. Defendants have filed a motion to exclude the opinions of several of Plaintiffs' experts. ECF No. 826. In the Motion to Seal Exhibits, Defendants ask to file under seal the Plaintiffs' experts' reports that are the subject of their motion to exclude because they are required to do so under the protective order agreed to by the parties and entered by the Court in this case.

The parties may agree to restrict public access to a document that is not filed with the Court, but that agreement does not justify filing a document under seal. *See* W.D. Va. Gen. R. 9(b)(5). The First Amendment provides a public right of access to court documents. *See* W.D. Va. Gen. R. 9, Commentary (discussing First Amendment and common law right of public access to court documents and citing *Va. Dep't of State Police v. Wash. Post*, 386 F.3d 567, 575 (4th Cir. 2004)). In their Motion to Seal Exhibits, Defendants offer a legally inadequate reason for sealing the expert reports. Accordingly, the proposed exhibits will be filed under seal for seven (7) days. On August 17, 2020, the expert reports will be unsealed unless a party has moved that they remain sealed and demonstrated that they meet the requirements for sealing set forth in Local Rule 9.

It is so ORDERED.

ENTER: August 10, 2020



Joel C. Hoppe
U.S. Magistrate Judge